

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

LARRY SMITH and VINCENT GARCIA	§	
	§	
V.	§	CIVIL ACTION NO. G-12-074
	§	
INNOVATIVE TURNAROUND	§	
CONTROLS, LTD.	§	

**ORDER**

During a Telephone Status Conference on February 1, 2013, counsel of record announced to the Court that the Parties had reached a stipulation during settlement discussions that the numerosity requirements have not been met to justify certification of the California claims for class treatment under Rule 23 of the Federal Rules of Civil Procedure.

The Parties also informed the Court that they reasonably expected to have this case settled in the near future and, therefore, it is **ORDERED** that this Court **WILL** conduct a **Telephone Status Conference, with counsel of record, on Friday, March 1, 2013, at 10:30 a.m.**

The Parties should call the Court's conference line at **409-763-7881**, on the designated date and time to participate in the conference call.

Any questions in regards to participation in the conference call should be directed to the Court's Case Manager via e:mail at [Sheila\\_R\\_Anderson@txs.uscourts.gov](mailto:Sheila_R_Anderson@txs.uscourts.gov).

**DONE** at Galveston, Texas, this 1st day of February, 2013.

  
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John R. Froeschner  
United States Magistrate Judge